

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

THE ROYAL
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS
Director of Planning Services

TP981828

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8 JUL 1998



**KENSINGTON
AND CHELSEA**

My reference:

Your reference:

Please ask for:

NDL/MLD
DPS/PA/TP/98/0019/L/20/2087

Central Area Team

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988

Permission for development (Conditional) (TP6a)

The Borough Council hereby permit the development referred to in the under-mentioned Schedule, subject to the conditions set out therein and in accordance with the plans submitted, save insofar as may otherwise be required by the said conditions. Your attention is also drawn to the enclosed Information Sheet.

SCHEDULE

DEVELOPMENT

Use as an 'apartment-hotel' with associated facilities, erection of a mansard roof extension and rear extensions, creation of sub-basement area and carrying out of elevational alterations, at DE VERE HOTEL, 1-3 DE VERE GARDENS, (ALSO KNOWN AS 60 HYDE PARK GATE), KENSINGTON, W.8, as shown on submitted drawing(s) No(s). TP/98/0019, TP/98/0019/A, TP/98/0019/B, TP/98/0019/C, TP/98/0019/D and TP/98/0019/E, Applicant's drawing(s) No(s). 3435:101, 102, 103, 104, 105, 106/A, 107/A, 108/A, 109/C, 111/B, 112/B, 113/C, 114/B, 29A, 28, 01, 02, 03A/A, 04/A, 05/A, 07/A, 08/A, 09, 10 and 11, in accordance with your application dated 22/12/97, completed 05/01/98, revised 31/03/98, 24/04/98, 13/05/98 and 15/05/98.

/ CONDITIONS ...

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C.1)
2. The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the local planning authority. (C.68)
3. All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing. (C.71)
4. The roof slopes of the mansard extension hereby permitted shall be clad in natural slates and so maintained. (C.73)
5. All new windows shall be timber framed double hung sliding sashes. (C.75)
6. No additional plumbing or pipes other than rainwater pipes shall be fixed on the external faces of the building without the prior written approval of the local planning authority. (C.85)
7. No process shall be carried out or machinery installed pursuant to this permission so as to cause detriment to the amenity of the area by reason of noise, vibration, smell, smoke, soot, ash, dust, grit, or electrical interference. (C.47)
8. Not more than one restaurant shall be created in pursuance of this permission and this restaurant shall have not more than 60 covers. (C.51)
9. No music shall be played within the premises the subject of this permission so as to be audible outside the premises. (C.48)
10. No loudspeaker or relay equipment or musical instruments shall be used on the premises in such a manner as to cause noise nuisance to nearby occupiers. (C.49)
11. Details of the means of ventilation to the premises shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences and the use shall take place only with the ventilation so approved in operation. (C.55)
12. The accommodation hereby approved for use for conference rooms, function rooms and restaurant purposes shall not be used otherwise than in connection with the accommodation hereby approved for use for apartment hotel purposes. (C.64)

/ 13. The conference...

13. The conference room facility shall not accommodate any more than 100 persons at any one time.
14. The function rooms shall be used solely by guests staying at the apartment hotel hereby approved, or their guests.
15. Full particulars of the following shall be submitted to and approved in writing by the local planning authority before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved:
 - (a) the replacement canopies;
 - (b) the forecourt areas fronting onto Hyde Park Gate and De Vere Gardens;
 - (c) plans to three apartments in 3 De Vere Gardens;
 - (d) the treatment of the open land within the site including hard and soft landscaping;
 - (e) any proposed walls, fences or railings;
 - (f) relationship between ground floor infill extensions and boundary to 58-59 Hyde Park Gate. (C.11)
16. The roof of the extensions hereby permitted shall not be used at any time as a terrace without the prior approval in writing of the local planning authority. (C.80)
17. The function rooms, conference rooms and restaurant shall not be in use between the hours of 12.30am and 9.00am the following morning. The exception to this is that for the first year of operation, to run from a date agreed in writing by the local planning authority, the function and conference rooms can remain in use until 1.30am, reverting to 12.30am after the expiry of this one year period unless further permission is granted by this planning authority.
18. Public access to the apartment hotel shall be through the Hyde Park Gate frontage only. The De Vere Gardens frontage shall only be used for staff access, means of escape in case of emergency and for access to the residential properties on the upper floors of 3 De Vere Gardens.
19. No demolition pursuant to this permission shall commence until a contract for the carrying out of the building operations hereby permitted has been completed. (C.69)
20. Before the use hereby permitted is commenced the doors to the premises shall be made self-closing and shall thereafter be kept closed at all times except only as required for the incidental entry or exit of goods and customers. (C.50)

/ 21. The gymnasium..

21. The gymnasium facility shall be used solely by guests staying at the apartment hotel hereby approved, and their guests.
22. Elevational drawings identifying windows to be double glazed for sound proofing shall be submitted to, and approved in writing by, the Executive Director, Planning and Conservation, before any part of the development hereby approved is commenced, and the windows so identified shall be installed and maintained as so approved.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. As required by Section 91 of the Town and Country Planning Act 1990 to avoid the accumulation of unexercised planning permissions. (R.1)
2. The details are considered to be material to the acceptability of the proposals and to safeguarding the amenities of the area. (R.68)
3. To preserve and enhance the character and appearance of the Conservation Area. (R.72)
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5. To preserve and enhance the character and appearance of the Conservation Area. (R.72)
6. To preserve and enhance the character and appearance of the Conservation Area. (R.86)
7. To safeguard the amenities of neighbouring properties. (R.42)
8. To safeguard the amenities of neighbouring properties. (R.48)
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11. To safeguard the amenities of neighbouring properties. (R.48)
12. Separate occupation of the premises is likely to lead to increased traffic generation and damage the amenities of the area. (R.63)
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/ 15. The particulars...

15. The particulars reserved are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that the details of the development are satisfactory. (R.11)
16. To protect the privacy and amenities of neighbouring properties. (R.79)
17. To safeguard the amenities of neighbouring properties. (R.42)
18. To safeguard the amenities of neighbouring properties. (R.42)
19. To ensure a satisfactory standard of external appearance, and to safeguard the visual amenities of the area. (R.69)
20. To safeguard the amenities of neighbouring properties. (R.48)
21. To safeguard the amenities of neighbouring properties. (R.42)
22. To protect existing local residential amenity.

INFORMATIVES

1. Any advertisements to be erected at the premises may require consent under the Control of Advertisement Regulations 1992. You are advised to consult the Directorate of Planning Services. (I.5)
2. Approval under the Planning Acts is hereby granted for the development as shown on the approved drawings and subject to the conditions. Any alteration to the approved scheme, resulting from the requirements of the Building Regulations or for any other reason, may require further approval. You are advised to consult the Directorate of Planning Services before commencing work. (I.9)
3. Your attention is drawn to the conditions of this approval and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act, 1990, as amended. (I.10)
4. This property is within a Conservation Area. Building works should therefore be completed with great care. External facing work and detailed treatment should be finished in a manner sympathetic to the existing building. If there is any doubt about the way in which work should be carried out you should consult the Directorate of Planning Services. (I.11)

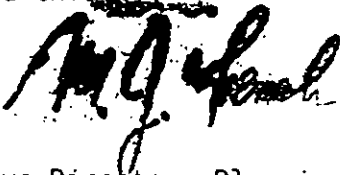
/ 5. Your attention...

5. Your attention is drawn to the Chronically Sick and Disabled Persons Act, 1970 and the Disabled Persons Act 1981 which place on developers and their representatives an obligation to provide easy access for the disabled. In the case of development for office, shop or factory purposes or for buildings or premises to which the public are admitted you should refer to the Code of Practice for Access for the Disabled to Buildings BS 5810:1979. In the case of university, college or school buildings you should refer to Design Note 18 "Access for the Physically Disabled to Educational Buildings". (I.14)
6. Separate consent for the works hereby given approval under the Planning Acts may be required by the Building Act 1984 and the Building Regulations 1991, and this approval does not imply that such consent will be given. The Director of Building Control, Council Offices, 102-108 Warwick Road, London, W14 8PT should be consulted before works commence. (I.21)
7. Any proposals for external fire escapes, roof walkways or safety railings arising from the requirements of the Building Regulations may require further approval under the Planning Acts, and consent under those Regulations does not imply that approval under the Planning Acts will be given. The Directorate of Planning Services will be pleased to advise on the implication of any changes. (I.22)
8. You are advised to consult the Director of Waste Management and Leisure, Council Offices, 102-108 Warwick Road, W14 8PT on the provision of facilities for the storage and disposal of refuse. There is a code of practice available and advice can also be given on certain aspects of industrial and commercial waste as well as household waste. The Council operates a trade refuse service on a rechargeable basis. (I.29)
9. Demolition and building works are subject to the Environmental Protection Act, and appropriate controls over methods, noise and hours of work may be imposed by the Council. You are advised to consult the Director of Environmental Health, Council Offices, 102-108 Warwick Road, W14 8PT at an early stage. (I.30)
10. Your attention is drawn to the British Standards Code of Practice for Demolition (CP 94 : 1971) the observance of which should considerably reduce the risks inherent in demolition work (particularly in relation to fire hazards arising from the practice of burning materials on site) both to operatives on the site and to the general public. (I.31)
11. The premises may be subject to the requirements of the Health and Safety at Work Act 1974. You are advised to consult the Director of Environmental Health, Council Offices, 102-108 Warwick Road, London, W14 8PT at an early stage. (I.32)

/ 12. The premises...

12. The premises may be subject to the requirements of the Food Hygiene (General) Regulations 1970. The Director of Environmental Health, Council Offices, 102-108 Warwick Road, W14 8PT should be consulted at an early stage. (I.33)
13. The use of the premises for public entertainment or purposes which require a licence under the Private Places of Entertainment (Licensing) Act 1967 may require a separate application to the Council. The Director of Environmental Health should be consulted at an early stage. (I.36)
14. If the development is to include any air conditioning unit incorporating a water cooling system or any other plant or equipment involving large scale heating and distribution of water, you should consult the Director of Environmental Health to ensure adequate mechanical cleaning. (I.37)
15. Any plant or equipment installed in or on the building must be designed so as not to cause a nuisance through noise, vibration or fumes. This approval under the Planning Acts does not obviate the need to comply with relevant environmental protection legislation, nor imply that these other approvals will be given. The Directorate of Environmental Health should be contacted on the detail of any such plant or equipment. Any changes to plant or equipment required to comply with other legislation may require further approval under the Planning Acts. (I.38)

Yours faithfully



Executive Director, Planning & Conservation